IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O. O. C. J.

SUMMARY SUIT NO.1938 OF 2005

Central Bank of India. ...Plaintiff.
Versus
Ms. Shobha M. Bhandare. ...Defendant.

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Mr. Uttam i/b. Mulla & Mulla for the Plaintiff.
None for the Defendant.

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CORAM : DR. D.Y. CHANDRACHUD, J.

March 26, 2007.

P.C.:

The suit under Order 37 of the Code of Civil Procedure, 1908, has been filed on the basis of the Bill of Exchange dated 27th July 2002 in the amount of Rs.4,94,500/-. The Defendant has been served with the writ of summons and an affidavit of service has been filed. No appearance has been entered by the Defendant.

The Plaintiff has filed a compilation of documents upon which reliance has been placed. The claim of the Plaintiff has been duly established on the basis of the evidence produced on the record. The Defendant having failed to enter appearance, the Plaintiff will be entitled to a decree as prayed in terms of the

provisions of Order 37 of the Code of Civil Procedure, 1908. The claim of the Plaintiff falls within the purview of Order 37.

In the circumstances, the suit shall stand decreed in terms of prayer clause (a), subject to the modification that the Plaintiff will be entitled to interest at the rate of 9% per annum from the date of the suit until payment or realisation.

Refund of Court fee, if any, as per rules.

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